**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**
**&**
**THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR**

**TUESDAY, THE 5TH JUNE 2007 / 15TH JYAISHTA 1929**

**LA.App..No. 78 of 2005(D)**
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**LAR.294/2000 of PRL.SUB COURT, KOZHIKODE**
**. .....**

**APPELLANTS: RESPONDENTS:**
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1. **STATE OF KERALA, REP: BY THE SPL.TAHSILDAR, L.A., N.H.-1, KOZHIKODE.**

2. **THE EXECUTIVE ENGINEER, N.H. DIVISION, KOZHIKODE.**

**BY GOVERNMENT PLEADERSHRI.K.V.MANOJKUMAR.**
**SRI.V.K.BEERAN, ADDL.ADVOCATE GENERAL**

**RESPONDENT: CLAIMANT:**
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**P.K. SATHEESAN, S/O. MEENAKSHI AMMA, KIZHAKKEPURATH HOUSE, NELLICODE VILLAGE, KOZHIKODE TALUK.**

**BY**

**THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 05/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**KURIAN JOSEPH,**

**&**

**T.R.RAMACHANDRAN NAIR, JJ.**

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**LAA.No. 78 of 2005-D.**

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**Dated this the 5th day of June, 2007.**

**J U D G M E N T**

**Kurian Joseph, J.**

**This appeal is against the judgment and decree in LAR.No.294/2000 on the file of the Prl. Sub Court, Kozhikode. The acquisition is for the purpose of Kozhikode bye pass. The reference court fixed the land value at Rs.60,000/- for garden land and Rs.57,000/- for wet land. Section 4(1) notification in respect of the acquired land for the same purpose and covered by LAA.No.774/2006 is in the year 1993, whereas Sec.4(1) notification in the instant case is in 1998. This Court has fixed land value at Rs.60,000/- per cent for wet land in LAA.No.774/2006. For parity of reasons, this appeal is dismissed since the value fixed for the garden land is only Rs.60,000/- and that for wet land Rs.57,000/- per cent.**

**KURIAN JOSEPH, JUDGE.**

**T.R.RAMACHANDRAN NAIR, JUDGE.**

***Kvs/-***